

ORIGINAL

SEALED  
BY ORDER OF THE COURT

CLARE E. CONNORS #7936  
United States Attorney  
District of Hawaii

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JAN 05 2023

at 1 o'clock and 18 min. M  
John A. Mannle, Clerk

W. KEAUPUNI AKINA #11565  
Assistant U.S. Attorney  
Room 6-100, PJKK Federal Bldg.  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850  
Telephone: (808) 541-2850  
Facsimile: (808) 541-2958  
Email: KeAupuni.Akina@usdoj.gov

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEY NISHIMURA,

Defendant.

CR. NO. CR 23-00007 LEK

INDICTMENT

[21 U.S.C. §§ 841(a)(1) and  
841(b)(1)(C)]

INDICTMENT

The Grand Jury charges:

Possession with Intent to Distribute Methamphetamine  
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C))

On or about February 2, 2022, within the District of Hawaii, JOEY NISHIMURA, the defendant, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

FORFEITURE NOTICE (Drugs)

1. The allegations set forth in Count 1 of this Indictment are hereby re-alleged and incorporated by reference as though set forth in full herein for the purpose of noticing forfeiture pursuant to Title 21, United States Code, Section 853.

2. The United States hereby gives notice that, pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Sections 841(a)(1) or 841(b)(1)(C), JOEY NISHIMURA, the defendant, shall forfeit to the United States of America any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any and all property used, or intended

to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

3. If any of the property described in paragraph 2 above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property up

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to the value of the property described above in paragraph 2, pursuant to Title 21,  
United States Code, Section 853(p).

DATED: January 5, 2023, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson  
FOREPERSON, GRAND JURY

  
\_\_\_\_\_  
CLARE E. CONNORS  
United States Attorney  
District of Hawaii

  
\_\_\_\_\_  
W. KEAUPUNI AKINA  
Assistant U.S. Attorney

United States v. Joey Nishimura  
Indictment

Cr. No. **CR 23-00007 LEK**